

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING )  
PHARMACY, INC. PRODUCTS LIABILITY )  
LITIGATION )  
 )  
This Document Relates To: )  
 )

No. MDL 1:13-md-02419

**MOTION OF WITNESS MICHAEL O'NEAL FOR AN ORDER ALLOWING  
HIS COUNSEL TO APPEAR TELEPHONICALLY FOR THE HEARING  
ON DECEMBER 17, 2015, AND SUPPORTING MEMORANDUM**

Counsel for nonparty witness Michael O'Neal moves the Court for an Order to allow his Nashville, Tennessee attorneys to appear telephonically at the December 17, 2015 hearing. On that day, inter alia, the following two motions will be heard, both dealing with the application of privilege regarding his testimony and his production of documents: (1) the motion of Plaintiff's Steering Committee (PSC) to compel; and (2) O'Neal's motion for a protective order. O'Neal is a pharmacist who provided services under contracts with St. Thomas Outpatient Neurosurgical Clinic (STOPNC).

The primary grounds for this motion are that: (1) O'Neal is not a party to this action; (2) the results of the orders resulting from the motions could have a serious adverse impact on his practice and reputation; (3) there are no further insurance proceeds available to finance his attorneys' work; and (4) counsel will not receive payment for time or expenses for a trip to Boston to argue the motions.

For these reasons, O'Neal requests the Court to grant this motion.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that the foregoing document was filed electronically through the CM/ECF system on December 10, 2015, and served electronically on all counsel of record.

/s/ Kathryn M.A. Young

Kathryn Young